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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/772,277

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EXAMINER

MORRISON, THOMAS A

ART UNIT

PAPER NUMBER

3653

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/772,277	Applicant(s) NOMIYAMA ET AL.	
	Examiner THOMAS A. MORRISON	Art Unit 3653	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 July 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 21-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 21-31 is/are rejected.
- 7) ☒ Claim(s) 32-35 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 21-31, as best understood, are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Publication No. 2004/0016621.

Regarding claim 21, Figs. 1a-19 show an apparatus for receiving and paying paper moneys, comprising:

a stacking device (106c or 106d or 106e or 106f or 106g or 106h) for stacking the paper moneys therein;

a paper money size detector (108) to detect sizes of the paper moneys to be stacked in the stacking device (106c or 106d or 106e or 106f or 106g or 106h);

a travel regulating member (including 211 and 212) to regulate travels of a collected bundle of only paper moneys of a same size to be stacked in the stacking device (106c or 106d or 106e or 106f or 106g or 106h), wherein the travel regulating member (including 211 and 212) receives and holds thereon the collected bundle of only the paper moneys of the same size; and

a controller (including 120) to control the travel regulating member (including 211 and 212) to be rotated by a rotator (including 308, 318, 306 and 316) to move the received and held collected bundle of paper moneys of the same size detected by the paper money size detector (108) to be stacked into the stacking device (106c or 106d or 106e or 106f or 106g or 106h).

Regarding claim 22, numbered paragraph [0057] discloses that the controller (including 120) detects an amount of the paper moneys received and held by the travel regulating member (including 211 and 212) to control the travel regulating member (including 211 and 212) so that the travel regulating member (including 211 and 212) moves the received and held paper moneys to be stacked into the stacking device (106c or 106d or 106e or 106f or 106g or 106h).

Regarding claim 23, Fig. 7 shows that the travel regulating member (including 211 and 212) comprises a single stacked-money supporting arm (211).

Regarding claim 24, Fig. 7 shows that the travel regulating member (including 211 and 212) comprises not more than two stacked-money supporting arms (211 and 212).

Regarding claim 25, Figs. 1-19 show an apparatus for receiving and paying paper moneys, comprising:

a stacking device (106c or 106d or 106e or 106f or 106g or 106h) for stacking the paper moneys therein,

a paper money size detector (108) to detect sizes of the paper moneys to be stacked in the stacking device (106c or 106d or 106e or 106f or 106g or 106h),

a travel regulating member (including 211 and 212) to regulate travels of a collected bundle of a plurality of sheets of only paper moneys of a same size to be stacked in the stacking device (106c or 106d or 106e or 106f or 106g or 106h), wherein the travel regulating member (including 211 and 212) receives and holds thereon the collected bundle of a plurality of sheets of only the paper moneys of the same size, the travel regulating member (including 211 and 212) adapted to hold a plurality of sheets of the paper moneys in a stack at a same time, and

a controller (including 120) to control the travel regulating member (including 211 and 212) to be rotated by a rotator (including 308, 318, 306, 316) to move the received and held collected bundle of a plurality of sheets of paper moneys of the same size detected by the paper money size detector (108) to be stacked into the stacking device (106c or 106d or 106e or 106f or 106g or 106h).

Regarding claim 26, Fig. 7 shows that the travel regulating member (including 211 and 212) comprises a single stacked-money supporting arm (211).

Regarding claim 27, numbered paragraph [0057] discloses a stacked-money volume detecting means to detect the volume of stacked money stacked adjacent the travel regulating member (including 211 and 212).

Regarding claim 28, Fig. 7 shows that the travel regulating member (including 211 and 212) comprises a stopper part (unnumbered element to which the spring 218 is connected) and a paper money supporting part (surface of 211 and/or surface of 212).

Regarding claim 29, numbered paragraph [0057] discloses that the controller (including 120) controls a height of the travel regulating member (including 211 and

212) based on a size of the collected bundle of paper moneys being introduced into the stacking device (106c or 106d or 106e or 106f or 106g or 106h).

Regarding claim 30, Fig. 7 shows that the travel regulating member (including 211 and 212) comprises a stopper part (unnumbered element to which the spring 218 is connected) and a paper money supporting part (surface of 211 and/or surface of 212).

Regarding claim 31, numbered paragraph [0057] discloses that the controller controls a height of the travel regulating member (including 211 and 212) based on a size of the collected bundle of a plurality of sheets of paper moneys being introduced into the stacking device (106c or 106d or 106e or 106f or 106g or 106h).

Response to Arguments

2. Applicant's arguments with respect to claims 21-31 have been considered but are moot in view of the new ground(s) of rejection.

Moreover, it is noted that element 108 is a paper money size detector in the newly cited reference (U.S. Patent Publication No. 2004/0016621) used to reject claims 21-31 above. Numbered paragraph [0036] of this newly cited reference discloses that bills are guided through an evaluation region 108 (i.e., the paper money size detector) that can determine **bill size**, and the results of this process may be used to determine which of the stacking devices 106c, 106d, 106e, 106f, 106g, or 106h a bill is sent to. See numbered paragraph [0036] of U.S. Patent Publication No. 2004/0016621. Thus, element 108 (i.e., the paper money size detector) determines bill size and send bills of common size detected by element 108 to the same stacking device (e.g., stacking

device 106c) of U.S. Patent Publication No. 2004/0016621. This meets the limitations of claims 21 and 25 as now amended.

Regarding applicant's remarks about newly added claims 32-35, these claims are indicated as containing allowable subject matter below.

Allowable Subject Matter

3. Claims 32-35 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to THOMAS A. MORRISON whose telephone number is (571)272-7221. The examiner can normally be reached on M-F, 8am - 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick Mackey can be reached on (571) 272-6916. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Patrick H. Mackey/
Supervisory Patent Examiner, Art
Unit 3653

10/23/2008